



**AGENDA OF THE REGULAR SESSION
CITY OF AUBURN
HISTORIC DESIGN REVIEW COMMISSION
1225 LINCOLN WAY, AUBURN, CA 95603**

**April 2, 2013
6:00 PM**

Historic Design Review Commissioners

Matt Spokely, Chairman
Roger Luebke
Fred Vitas
Nick Willick
Lisa Worthington
Liz Briggs
Cindy Combs
Terry Green
Kathryn Kratzer-Yue

City Staff

Will Wong, Community Development Director
Reg Murray, Senior Planner

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE**
- III. APPROVAL OF MINUTES**

March 5, 2013

IV. PUBLIC COMMENT

This is the time provided so that persons may speak to the Commission on any item not on this agenda. Please make your comments as brief as possible. The Commission cannot act on items not included on this agenda; however, the items will be automatically referred to City staff.

V. COMMISSION BUSINESS

- A. Commission Powers and Duties (AMC §159.496).

VI. COMMUNITY DEVELOPMENT DEPARTMENT FOLLOW-UP REPORTS

- A. City Council Meetings
- B. Future Historic Design Review Commission Meetings
- C. Reports

VII. HISTORIC DESIGN REVIEW COMMISSION REPORTS

The purpose of these reports is to provide a forum for Historic Design Review Commissioners to bring forth their own ideas to the Commission. No decisions are to be made on these issues. If a Commissioner would like formal action on any of these discussed items, it will be placed on a future Commission agenda.

VIII. FUTURE HISTORIC DESIGN REVIEW COMMISSION AGENDA ITEMS

Historic Design Review Commissioners will discuss and agree on items and/or projects to be placed on future Commission agendas for the purpose of updating the Commission on the progress of items and/or projects.

IX. ADJOURNMENT

Thank you for attending the meeting. The Historic Design Review Commission welcomes your interest and participation. If you want to speak on any item on the agenda, as directed by the Chair, simply go to the lectern, give your name, address, sign in and speak on the subject. Please try to keep your remarks to a maximum of five minutes, focus on the issues before the Historic Design Review Commission and try not to repeat information already given to the Commission by a prior speaker. Always speak into the microphone, as the meeting is recorded on tape. It is the policy of the Commission not to begin consideration of a project after 10:00 PM. Such projects will be continued to the next meeting.

Materials related to an item on this Agenda submitted to the Commission after distribution of the agenda packet are available for public inspection in the Community Development Department during normal business hours.

**MINUTES OF THE
AUBURN CITY HISTORIC DESIGN REVIEW COMMISSION MEETING
March 5, 2013**

The regular session of the Auburn City Historic Design Review Commission meeting was called to order on March 5, 2013 at 6:00 p.m. by Chair Spokely in the Council Chambers, 1225 Lincoln Way, Auburn, California.

COMMISSIONERS PRESENT: Briggs, Combs, Green, Luebke, Kratzer-Yue, Willick, Spokely

COMMISSIONERS ABSENT: Worthington, Vitas

STAFF PRESENT: Will Wong, Community Development Director
Reg Murray, Senior Planner
Lance E. Lowe, AICP, Associate Planner

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES

Approved February 19, 2013 as presented.

IV. PUBLIC COMMENT

None

V. COMMISSION BUSINESS

A. Historic Resource Nomination Process for the Auburn Register

Planner Lowe provided an overview of the background and updated Resolution Process for the Auburn Register.

Planner Lowe noted that the updated Resolution worked in conjunction with the City's Preservation Ordinance and does not amend or supersede any provisions of the City's Code. Planner Lowe concluded his presentation with describing the provisions of the Resolution.

Planner Lowe also noted that staff is recommending that an application be charged at no fee in order to promote the program.

Commissioner Combs thanked staff and the effort put into the Resolution.

Commissioner Combs asked if the 1982 Resolution was the only document relating to the Auburn Register. Commissioner Combs questioned, by what instrument, the Auburn Register was created.

Planner Lowe noted that the Auburn Register is referred to in the City's Historic Preservation Ordinance. Resolutions were adopted by the City Council assigning buildings to the Auburn Register since 1977.

Director Wong noted that the adopted Resolutions assigned buildings to the Auburn Register as either: 1) Historic Buildings; 2) Points of Historic Interest; or, Historic Land Sites. The adopted Resolutions make up the Auburn Register of Historic Places.

Planner Lowe noted that according to the Historic Preservation Ordinance, a Historic Resource is defined more broadly to account for the various types of resources that may be designed.

Commissioner Combs asked about the Statutory Exemption prepared for the project.

Planner Lowe replied that every discretionary action considered by the City may be subject to the California Environmental Quality Act (CEQA). CEQA requires that the environmental consequences of a discretionary action be considered. In this case, staff has determined that the project is Statutorily Exempt meaning that staff has determined with certainty that the action will not have any negative environmental ramifications.

Commissioner Kratzer-Yue asked for clarification on the draft Resolution.

Director Wong clarified what the Resolution attempts to accomplish; a consistent method to nominate historic resources.

Commissioner Combs commented that the Resolution and Auburn Register of Historic Places should be consistent on how resources are identified.

Commissioner Combs asked if, in staff's research, did any of the ordinances allow only the property owner to designate property?

Planner Lowe replied that he did not recall if any of the ordinances only allowed the property owner to designate property.

In drafting the Resolution, staff followed the same provisions contained in the 1982 Resolution that allowed only the property owner to designate property.

Commissioner Luebke asked about the properties located outside of the Historical Design Review Districts. If properties were located outside of the Historical Design Review District, what body would review the property?

Planner Lowe replied that per the City's Historic Preservation Ordinance, the Historical Design Review Commission would review the project.

Commissioner Luebke asked about the 50 year time limit regarding historical resources in Section 4 of the resolution.

Planner Lowe replied that generally properties 50 years or older are generally apt to be historic in nature and could be nominated if the historic resource was maintained. However, that does not mean that properties are automatically historic. Also, a resource may be significant if it is less than 50 years old, but maintains certain historic aspects which may be significant.

Commissioner Combs clarified the 50 year requirement in Section 4 of the draft resolution and recommends that a period of significance should be included considering the context of the period.

Commissioner Combs also noted that Section 3 should be further clarified and terms "Significance" and "Integrity" should be further clarified and defined.

Commissioner Combs asked about the Purpose Statement in Section 1 that the property owner shall have a right to submit an application. The purpose statement should focus on the historic resource and not the applicant. Accordingly, Section 1 should be reworded to remove the property owner and application language.

Commissioner Combs also asked about any appeal processes that an applicant may have.

Planner Lowe replied that the Historic Design Review Commission is the recommending body to the City Council. Considering that the City Council is the final decision making body on all historical resource designations, no appeal process is necessary. Should the Historic Design Review Commission make a recommendation of approval or denial, then that approval will be presented before the City Council as recommended.

Commissioner Combs inquired about the intent of the deed notice provisions of the resolution.

Planner Lowe replied that the deed notice serves to notice the property owners that they will be subject to the City's Historic Design Review provisions. Additionally, should a property owner make alterations requiring Historic Design Review

Commission approval, the Community Development Department will have greater enforceability of the City's provisions if a deed notice is recorded.

Director Wong noted that the draft resolution fulfills Powers and Duties sections of the Historic Preservation Ordinance.

Commissioner Kratzer-Yue had questions regarding the criteria for historic designation.

Director Wong noted that the draft resolution is an update of the nomination process as directed by the City Council. Currently, the nomination process has been last adopted in 1982. The updated resolution also fulfills Powers and Duties of the City's Historic Preservation Ordinance.

Commissioner Willick noted that there is value in having a resolution that is more broad than one that is very specific.

Commissioner Willick noted that he liked the approach that limited the application submittal to the property owner.

Chairman Spokely commented that he also agreed with limiting the application submittal process to the property owner.

Chairman Spokely opened the discussion to public comment.

Michael Otten, President of the Placer County Historical Society addressed the Commission.

Mr. Otten wanted clarification as to the application process. Is there an application process currently?

Planner Lowe replied that an application through the Community Development in accordance with the current resolution would be required. The Community Development Department has a generic application that would be used.

Mr. Otten recommended that the City take a look at the City of Glendale's application and submitted an example to the Historic Design Review Commission.

Mr. Otten has reviewed the resolution and believes that the resolution should be more broad considering Auburn's diverse historic resources.

Mr. Otten recommended that the Community Development Department develop a specific application for the designation of historic resources.

Mr. Otten noted that the nomination process seemed to need additional work. Mr. Otten believed that anyone should be able to submit an application for a historic resource besides the property owner.

Chairman Spokely closed the public comment period.

Chairman Spokely thought it best to go over the proposed text changes proposed by Commissioner Combs.

Planner Lowe outlined the changes proposed by Commissioner Combs starting with the Purpose Statement in Section 1.

Director Wong reworded the Purpose Statement in Section 1 as follows:

“The City of Auburn recognizes the importance of historically significant resources and hereby establishes the following guidelines, procedures, and criteria to declare property as having special historical significance to the City of Auburn and to designate the property on the Auburn Register of Historic Buildings and Places.”

Planner Lowe discussed Section 2 that limits the application to the property owner. The Historic Design Review Commission may want to get consensus on this one issue.

Commissioner Combs noted that in order to protect and preserve a historic resource, any interested party should be able to submit an application. Perhaps, there should be two different categories of designation: 1 category would be to identify properties that could be eligible for nomination or which have historic value and the 2nd category would be those properties that were officially on the City's Historic Registry.

Director Wong noted that the draft resolution for nominating of historical resources is under consideration by the Historic Design Review Commission. If there is a desire to create a separate list of eligible properties in the City, anyone can put a list together identifying historical resources, but that should be done apart from consideration of the resolution that the City Council will consider.

Commissioner Combs asked if any of the historic resources are currently outside of the Historic District?

Director Wong noted that all of the designated historic resources on the City Registry are within the Historic District. If a historic resource is designated, it will be subject to the City's Historic Preservation Ordinance, which includes Historic Design Review Commission review and approval.

Chairman Spokely noted that in his opinion, applications for historic designation should be the decision of the property owner.

Commissioner Combs noted that she was not very comfortable with the current version of the resolution. Commissioner Combs noted that she had a number of questions and possible edits that should be considered.

Chairman Spokely noted that the possible edits should be discussed and a consensus should be reached on the policy issues so the Commission could determine whether or not this item should come back for review.

Commissioner Combs noted that many of the historic preservation ordinances she is familiar with lets anyone nominate a historic resource and allows the property owner to opt out if they so choose.

Commissioner Combs noted other edits for Historic Design Review Commission consideration.

Planner Lowe outlined the following recommended changes as recommended by Commissioner Combs:

1. Resolution Title should be changed from Historic Resources to Buildings & Places
2. Section 3 – Applicants should submit current and historical photographs;
3. Section 4 – The Significance and Historical Integrity sections should be separated from one another.
4. Section 4 – “Feelings” should be added to aspects of Integrity.

The HDRC agreed with the proposed changes presented by Commissioner Combs.

Planner Lowe noted that the policy question of who can nominate a historic resource was still outstanding.

Commissioner Willick recommended that only an applicant should be able to submit an application.

Chairman Spokely agreed with Commissioner Willick and polled the commission on who can submit an application for nomination.

AYES: Luebkehan, Willick, Briggs, Green, & Spokely
NOES: Combs & Kratzer-Yue

ABSTAIN: None
ABSENT: Worthington & Vitas

The motion was **APPROVED**.

Planner Lowe noted that the last outstanding policy issue was the question of fees. Staff is proposing that applications be submitted at no cost. Alternatively, an application fee of \$33.00, which is the same as Historic Design Review applications could be considered. Thirdly, at cost applications could be considered; however, staff will have to qualify the application fees for at cost applications.

Director Wong recommended that applications be considered at no cost but that rescission should pay an at cost fee. Staff will be required to qualify the at cost fee for a rescission.

The Historic Design Review Commission recommended that applications be charged at no fee with an at cost rescission fee.

Director Wong noted that the edits proposed are not substantial and questioned whether or not the Historic Design Review Commission wanted to see the revised text in two weeks or does the commission feel comfortable with the resolution moving forward to the City Council with the proposed changes?

Commissioner Luebkehan recommended that he would like to see this move forward with the edits.

Commissioner Luebkehan **MOVED** to Approve Resolution 13-3 as amended by the Historic Design Review Commission.

Commissioner Briggs **SECONDED** the motion.

AYES: Luebkehan, Willick, Briggs, Green, & Spokely
NOES: Combs & Kratzer-Yue
ABSTAIN: None
ABSENT: Worthington & Vitas

The motion was **APPROVED**.

B. Commission Powers and Duties (AMC §159.496).

Planner Murray presented the Commission Powers and Duties discussion and provided an overview of the past actions by the Historic Design Review Commission.

Chairman Spokely noted that this was a discussion that the HDRC started some months ago and that sub-committees were created.

Commissioner Luebkehan inquired about the powers and duties list 1 through 10 and wanted to know what the Commission's preference was to each of the powers and duties.

Planner Murray noted that each Commissioner routinely reviews Historic Design Review applications, but has additional powers and duties which the HDRC may want undertake.

Commissioner Combs noted that she appreciates the discussion and notes that the HDRC powers and duties are more than reviewing Historic Design Review applications.

Commissioner Luebkehan asked about the intent about forming sub-committee or ad-hoc committees?

Chairman Spokely noted that it was his recommendation to form smaller groups so that each of the powers and duties could be more thoroughly explored.

Commissioner Green asked if number five was in the form of a design guideline?

Director Wong noted that when the City's streetscape was completed, the Historic Design Review Commission directed staff to provide streetscape design information to perspective applicants so that their proposals could be consistent, where applicable.

Chairman Spokely asked the commissioners which sub-committees they would like to join?

Planner Murray noted that staff provided a matrix in the staff report outlining the sub-committees that are being contemplated and interest by the HDRC.

Chairman Spokely noted that in moving this forward, he envisioned that each of the commissioner's would join a sub-committee to further explore the HDRC powers and duties.

Chairman Spokely recommended that commissioners send an e-mail to staff notifying them of sub-committees that they have interest in joining.

Chairman Spokely noted that two Planning Commissioners are absent so would like to continue this discussion to the next Historic Design Review Commission meeting.

The HDRC meeting was continued to the March 19th HDRC meeting.

VI. COMMUNITY DEVELOPMENT DEPARTMENT FOLLOW-UP REPORTS

A. City Council Meetings

None

B. Future Historic Design Review Commission Meetings

Director Wong noted that the Historic Design Review Commission may have a meeting on March 19th.

C. Reports

None

VII. HISTORIC DESIGN REVIEW COMMISSION REPORTS

None

VIII. FUTURE HISTORIC DESIGN REVIEW COMMISSION AGENDA ITEMS

None

IX. ADJOURNMENT

The meeting adjourned at 8:30 p.m.

Respectfully submitted,

Lance E. Lowe, Associate Planner



Memorandum

City of Auburn Community Development Department

To: Historic Design Review Commission
From: Reg Murray, Senior Planner *[Signature]*
Date: April 2, 2013
Subject: COMMISSION BUSINESS – Commission Powers and Duties (AMC §159.496)

The Historic Design Review Commission (HDRC) has decided that it will review the Commission's ten powers and duties as detailed in the historic ordinance, with the intent to discuss and better understand the existing code and its application.

To assist in its endeavors, the Commission decided that it would be beneficial to establish separate ad hoc sub-committees for some/all of the powers and duties. The committees would then meet separately to learn more about their item, stay abreast of current issues and items of interest, and/or work together on an issue. Each committee would then coordinate with staff when it has information to report to the Commission, and staff would then work with the committee to schedule a report during the "Commission Reports" section of the agenda.

On March 5th, the Commission started their discussions about the powers and duties and began with members identifying particular topics that they had particular interest in (see below).

Powers & Duties Review – Committee Composition

Item	Briggs	Combs	Green	Kratzer-Yue	Luebkehan	Spokely	Vitas	Willick	Worthington
1		X				X	X		X
2		X							X
3		X	X			X	X		X
4	--	--	--	--	--	--	--	--	--
5		X	X		X				
6		X				X	X	X	
7		X	X		X				
8		X	X					X	X
9		X							
10		X						X	

The commission also touched on whether it was necessary to have a committee for each of the ten items. For example, Item 2 is a duty the Commission would perform on an as-needed basis; Item 4 is a regular duty of the Commission as projects are ready for review; and, Items 3 and 8 relate to the nominating process which the Commission recently completed. Based on this, the Commission may wish to decide which of the power/duties merit consideration and then finalize the committee membership.

Attachment

1. AMC Section 159.496 - Powers and Duties

§ 159.494 HISTORIC DESIGN REVIEW COMMISSION; CREATION, MEMBERSHIP, AND TERMS OF OFFICE.

(A) *Established.* There is hereby established a Historic Design Review Commission (HDRC).

(B) *Membership.* The Historic Design Review Commission shall consist of 9 members, including the 5 members of the Planning Commission and 4 at-large members.

(C) *Minimum qualifications: At-large members.* The at-large membership of the Commission shall consist of the following:

- (1) One architect.
- (2) One member of an historical society.
- (3) One real property owner or business owner from the Downtown Historic District.
- (4) One real property owner or business owner from the Old Town Historic District.
- (5) The representatives from the Downtown Historic District and Old Town Historic District shall be nominated by the Downtown Business Association or Old Town Business Association, respectively.

(D) *Appointment and terms of office: At-large members.* At large members shall be appointed by a majority of the Council and shall serve a 4 year period. The Council shall appoint 2 at large members to 2-year terms at the time of the initial appointment of at-large members.

(E) *Attendance.* In the event a member fails to attend a total of 3 or more HDRC meetings during a calendar year, the City Council may declare the office of the member vacant. In the event an HDRC office is declared vacant, the appointment of a successor shall be made for such unexpired term in the manner provided in this section.

(F) *Vacancies.* If the office of a member of the Historic Design Review Commission becomes vacant, the City Council shall fill the vacancy by appointing a Commission member whose term shall run the unexpired term of the former incumbent.
(Ord. 04-8, eff. 11-15-2004)

§ 159.495 HISTORIC DESIGN REVIEW COMMISSION; PRACTICES AND PROCEDURES.

(A) *Quorum.* Five voting members of the Historic Design Review Commission shall constitute a quorum with a majority vote of the members present required for passage of any action item.

(B) *Officers.* The chairperson and vice-chairperson of the Planning Commission shall serve as the chair and vice-chair of the Historic Design Review Commission.

(C) *Staff.* The Community Development Department shall act as staff to the Historic Design Review Commission.

(D) *Annual review.* The Historic Design Review Commission shall, at least once per year, conduct a review of its operations and procedures, and make recommendations to the City Council for improvements thereof.
(Ord. 04-8, eff. 11-15-2004)

§ 159.496 HISTORIC DESIGN REVIEW COMMISSION (HDRC); POWERS AND DUTIES.

(A) The Historic Design Review Commission shall have the following powers and duties:

(1) To adopt rules of procedure for the conduct of its business in accordance with the provisions of this subchapter;

(2) Act in an advisory capacity to the City Council in all matters pertaining to historic resources and districts;

(3) Develop and maintain criteria for the nomination and designation of structures, improvements, or sites as historic resources. Such resources shall be separate and apart from the Historic Design Review District but shall be subject to the provisions of the district;

(4) Approve, conditionally approve, or deny Historic Design Review Permits in accordance with the provisions of this subchapter and the requirements of Chapter 157;

(5) Render advice and guidance, upon request of the owner or occupant of the property, on the restoration, alteration, decoration, landscaping or maintenance of any cultural resource including landmarks, sites, districts or neighboring properties within public view;

(6) Encourage and render advice and guidance to property owners or occupants on procedures for inclusion of a cultural resource on the local, State, or Federal level;

(7) Recommend to the City Council, from time to time or as events warrant, recognition of owners or occupants of structures, improvements or sites by means of certificates, plaques, markers or commendations who have restored, renovated and/or maintained their property in an exemplary manner;

(8) Establish guidelines for the declaration of historical buildings and structures within the city and designate all such buildings and structures as having special historical significance in a separate register of historical buildings (such as the Auburn Register of Historic Buildings);

(9) Investigate and make recommendations to the City Council on the availability and use of funding which is or may become available from various federal, state, local or private sources to promote and undertake preservation of districts, structures, improvements or sites of historical value to Auburn; and

(10) Provide local owners of diverse structures, buildings, areas, and sites with the benefits and responsibilities of inclusion in local, State, or Federal registries of historic properties.

(B) Upon authorization by the Auburn City Council, the Historic Design Review Commission shall have the following powers and duties:

(1) Publicize and update the City of Auburn Historic Resources Survey previously prepared in the City of Auburn;

(2) Review and comment upon the conduct of land use, housing and redevelopment, municipal improvement, and other types of planning and programs undertaken by any agency of the City of Auburn, County of Placer or State of California as they relate to the historic resources of Auburn;

(3) Make recommendations to the City Council for the purchase of property, in fee or less than fee, easements, or other mechanisms for preservation of cultural heritage resources;

(4) May participate in, promote and conduct public information, educational and interpretive programs pertaining to preservation of cultural resources; and

(5) Undertake any other action or activity delegated to it by the City Council or by this subchapter, necessary or appropriate to the implementation of its powers or duties to fulfill the objectives of cultural resource preservation.
(Ord. 04-8, eff. 11-15-2004)

§ 159.497 HISTORIC DESIGN REVIEW PERMIT (HDRP).

(A) Except as otherwise specified in this section, a Historic Design Review Permit shall be processed per the requirements of §§ 159.114 through 159.125.

(B) Application submittal. An application for a Historic Design Review Permit shall be made on a